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THE PERLEY E. POPE COMPANY



## HE IS CHARGED AS MURDERER

### McCoy Accused of Causing Munk's Death

### IT'S A FOOTBALL TRAGEDY

Dead Man Was Captain of West Virginia University Football Team and Was Hit On Head By Accused Man While Running—Died in Five Hours.

Wheeling, W. Va., Nov. 13.—A warrant charging Thomas McCoy, right end of the Bethany College football team with murder in connection with the death of Captain Rudolph Munk, of the West Virginia University team, was issued here today by Magistrate R. G. Hobbs. The action followed partial completion of the inquest by Coroner W. W. Rogers. Munk suffered injuries in the game between the two teams here Saturday from which he died in five hours.

The testimony upon which the warrant was issued was furnished principally by Homer N. Young, a Pittsburgh attorney, who umpired the game. Young testified that Munk was making interference and was a few yards in front of the scrimmage line when McCoy came up to the West Virginia captain and struck him in the head. Munk fell to the ground unconscious and Young ordered McCoy from the game.

The autopsy disclosed that Munk's death was caused by a blood clot at the base of the brain and could not have been the result of a former injury.

McCoy lives at Canton, O. He will be arrested tomorrow. Munk's home was in Connelleville, Penna. In giving the details of the manner in which Munk was injured, Mr. Young said that the ball was on Bethany's 50 yard line, while Munk started down the field for interference. "He was not near the player with the ball," Mr. Young said. "Munk was met by McCoy who ran toward Munk as they were both running down the field. Ten yards behind the scrimmage line, when Munk was in front, McCoy struck him in the back of the head with his fist. Munk fell, and McCoy fell also, but quickly regained his feet, looked at Munk and started off the field."

Capire Young said that as the blow appeared to him as clearly intentional, he immediately put McCoy out of the game.

No other witnesses were heard today but a number of players have been summoned for tomorrow night when the inquest will be resumed. McCoy left college this fall without notifying the faculty and had not played on the team for two weeks. President Cramblett of Bethany said tonight that he was unaware that McCoy was to play in Saturday's game. It was announced tonight that all the remaining games scheduled with West Virginia University will be cancelled, including the Thanksgiving date with Washington at Jefferson.

A Butler County farmer eloped at a store in one of the small towns on this way to the county fair and picked a dime's worth of apples from a basket. He entered them at the fair and won a two-dollar premium.—Kansas City Journal.

## VOTES TO ADJOURN

(Continued from page one.)

H. 369, by Mr. Babbitt of Rockingham, to authorize the trustees and treasurer of the Bellows Falls Village Corporation to issue bonds. Referred to the Committee on Municipal Corporations.

H. 370, by Mr. Hines of Lowell, to incorporate the Chrysothello Railroad Company to operate from Lowell to Morristown. Referred to the Committee on Railroads.

H. 371, by Mr. Page of Hyde Park, to amend Section 5267 of the Public Statutes, relating to money derived from the sale of fish. Referred to the Joint Committee on Game and Fisheries.

H. 372, by Mr. Babbitt of Rockingham, relating to fire insurance policies. Referred to the Joint Committee on Insurance.

H. 373, by Mr. Branch of Grand Isle, to legalize the quadrennial appraisal of the town of Grand Isle for 1910. Referred to the Committee on Grand Isle.

H. 374, by Mr. Howard of Walting, to provide for special officers in certain cases. It provides for special officers to assist in enforcing license law in towns so voting. To the Joint Committee on Temperance.

H. 375, by Mr. Martin of Brookline, to establish a legislative reference bureau in the State Library. Referred to the Joint Committee on Library.

H. 376, by Mr. Smith of Shrewsbury, to incorporate the Cuttingsville and Shrewsbury Telephone Company. Referred to the Committee on Corporations.

H. 377, by Mr. Corry of Montpelier, amending Section 4 of No. 233 of the Acts of 1906, entitled an act to incorporate the American Fidelity Co., as amended by Section 2 of No. 265 of the Acts of 1902 as amended by Section 1 of No. 307 of the Acts of 1904 and as amended by Section 1 of Acts of 1910, approved Nov. 5, 1910. Referred to the Committee on Corporations.

H. 378, by Mr. Beeman of Milton, to amend Section 2 of 197 of the Acts of 1900 relating to the annual meeting of the Milton Graded School district. Referred to the Committee on Education.

H. 379, by Mr. Carpenter of Northfield, (by request), relating to the duties on telephone operators and restricting their employment. It prohibits employment of persons under 21 years of age and imposes a fine of \$50 if operator is found asleep on duty. Referred to the Joint Committee on Immigration and Industrial Interests.

H. 380, by Mr. Martin of Brookline, to make declarations in conveyances of real estate, prima facie evidence of the facts therein stated. Referred to the Committee on Judiciary.

H. 381, by Mr. Howe of Bennington, (by request), permitting the erection of historical monuments upon the Bennington Battle Monument grounds at Bennington. It grants authority to erect a monument to Col. Seth Warner and the Green Mountain Boys. Referred to the Committee on Military Affairs.

Adjournment Resolution Adopted.

A joint resolution was offered by Mr. Billings of Woodstock, providing that when adjournment is taken on Saturday morning, November 19, it be until Monday evening November 28 at 7:30 o'clock without pay and with an allowance of mileage one way.

Mr. Kennedy of Williston asked if Rule 21 was still in force. He didn't think a matter once settled could be brought up again. The chair ruled that this amendment was a new proposition and that the rule in question did not apply.

Mr. Chapman of Windham moved that the resolution be and be made a special order for 2:05 o'clock Tuesday afternoon. This motion was voted down. Mr. Corry of Montpelier did not believe in any half-way business and would vote to allow full mileage. Mr. Stone of Wallingford said that some of the members must pay at the hotels whether they were there or not, and half-mileage would not compensate them.

Mr. Mann of St. Albans moved an amendment to the resolution providing mileage for both ways. Mr. Wright of Westminster thought it was too early in the week to take up this matter of adjournment. Mr. Roberts of Rupert thought "his discussion had already cost the State a thousand dollars and he was in favor of getting down to business. The amendment was then agreed to and the resolution adopted only a few days being heard.

Mr. Peck of Burlington, called up H. 392, relating to copyright of Vermont Reports. He explained that the Judiciary Committee at first had understood that the reports were now copyrighted but found that this was not true at the present time. The reports formerly were copyrighted and he thought they should be now and he favored the bill which was thereupon passed.

On motion of Mr. Mann of St. Albans, the House adjourned.

### HOUSE—AFTERNOON.

The House was called to order by the Speaker.

### Bills Introduced.

The following bills were introduced:

H. 382, by Mr. Lyon of Highgate, for the protection of muskrat and mink. It forbids taking these animals in the town of Highgate between April 15 and March 1. Referred to the Committee on Game and Fisheries.

H. 383, by Mr. Dart of Springfield, (by request), relating to cruelty to animals. It forbids "docking" horses' tails and fixes a fine of \$100 for the offense. Referred to the Committee on Agriculture.

H. 384, by Mr. Robinson of Elmore, (by request) prohibiting fishing for pickerel in Elmore pond in Elmore.

Referred to Committee on Game and Fisheries.

H. 385, by Mr. Lyon of Highgate, legalizing the grand list and quadrennial appraisal of Highgate for 1909 and 1910. Referred to the Committee on Grand List.

H. 385, by Mr. Calderwood of St. Johnsbury to amend section 15 of No. 328 of the acts of 1906, entitled an act to incorporate the Wells River & Barre Electric Railway Company. It fixes the time limit for beginning construction on Jan. 1, 1915 and for completion on Jan. 1, 1920. Referred to the Committee on Street Railways.

H. 387, by Mr. Kellogg of Plainfield, relating to hunting with rifles. It imposes a fine of \$10 for hunting with a rifle during the open season for deer. Referred to the General Committee.

H. 388, by Mr. Marsh of Sheldon, to provide for the appointment of road commissioners. It empowers selectmen to appoint with the approval of the State Highway Commissioner, one or more for each town. Referred to the Committee on Highways and Bridges.

At 2:15 o'clock H. 244, an act establishing a State school of agriculture, was taken up as a special order, and without objection or debate was ordered to a third reading on Wednesday afternoon.

House Bills Introduced.

The following bills were then introduced:

H. 389, by Mr. Roy of Barnet, to amend sections 136 and 177 of the Public Statutes in regard to marking ballots. Referred to the Committee on Elections.

H. 390, by Mr. Peck of Burlington, relating to the assistance of voters. Referred to the Committee on Elections.

H. 391, by Mr. Hutchinson of Washington to prohibit the sale of deer meat. It forbids traffic or dealing in such and fixes the penalty at \$100. Referred to the Joint Committee on Game and Fisheries.

H. 392, by Mr. Russell of Kirby, prohibiting fishing on Sunday. It fixes a fine of not less than \$5. Referred to the General Committee.

H. 393, by Mr. Howard of Roxbury, relating to the registration of traction engines. Referred to the Committee on Education and Industrial Interests.

H. 394, by Mr. Carpenter of Northfield, (by request) to regulate the service of process. Referred to the Judiciary Committee.

H. 395, by Ward of Danville, to amend section 5288 of the Public Statutes, relating to the close season in Joe's pond, from Nov. 1 to June 15. Referred to the Joint Committee on Game and Fisheries.

H. 396, by Mr. Billings of Barnard, to amend section 5717 of the Public Statutes, relating to the age of consent. It fixes the age at 18 instead of 16. Referred to the Committee on Judiciary.

H. 397, by Mr. Hailuham of Rutland Town, to amend section 5169 of the Public Statutes as amended by No. 127 of acts of 1908, relating to license commissioners. It provides for the appointment of three license commissioners by the selectmen. Referred to the Joint Committee on Temperance.

H. 398, by Mr. McHugh of Weybridge, to protect nursery stock from injurious insects and diseases. Referred to the Committee on Agriculture.

H. 399, by Mr. Ellis of Brookfield, to prohibit the furnishing of intoxicating liquor to persons under 18 years of age, and amending section 5102 of the Public Statutes. It permits the sale of cider. Referred to the Committee on Temperance.

H. 400, by Mr. Ham of Newark, legalizing the quadrennial appraisal of real estate for year 1906 and grand lists for 1906, 1907, 1908 and 1909, for Newark. Referred to the Committee on Grand List.

H. 401, by Mr. Mason of Pawlet, in amendment of and in addition to section 3963 of the Public Statutes relating to the election of road commissioners by districts. It provides that when a town elects two road commissioners, the town be divided into two districts. Referred to Committee on Highways and Bridges.

H. 400, relating to inspection of weights and measures, on motion of Mr. Babbitt of Rockingham, was ordered to lie and be made a special order for Wednesday morning at 10:30 o'clock.

Health Officer Bill Discussed.

H. 223, a bill providing that health officers should be chosen by selectmen of boards of aldermen instead of by the State Board of Health, was taken up as a special order. Mr. Wright of Westminster interrogated the committee as to the reason for an adverse report.

Dr. Bryant of Ludlow, chairman of the Committee on Public Health, said there was trouble in the House whenever the words "health officer" were mentioned. He said the method prescribed in this bill had been tried in this and other States and the results were not satisfactory. No health officer appointed by two or three local officials can be as efficient as one chosen by the State Board of Health. This matter should not and cannot be a question of likes and dislikes. He defended physicians as a class but said with all their virtues they were still human and they could do better work when appointed by some power which had no local prejudices to enter into the question. He said the bill looked well in theory but worked badly in practice. The office of health officer should be kept out of politics.

Mr. Gillett of Richmond favored the bill. He thought local officers knew better than the State Board of Health whom to choose for this position.

Mr. Stafford of Brattleboro said there was a third party, the people, to be considered. He thought the State Board of Health were sometimes arbitrary in their methods and favored the bill.

Mr. Bailey of Randolph said he knew from personal observation that the selection of health officers by selectmen was a failure. The State Board of Health always consults with the

local authorities concerning a new appointment. Frequent changes are detrimental to the best interests of the people.

Mr. Carll of Canaan thought a little something ought to be left to the intelligence of the people. He told of local quarantine for diphtheria which caused much expense when he was a selectman to which he made objection. There had been no diphtheria since.

He did not believe in long distance brain effect. Mr. Warner of Cornwall said he was a great believer in the people and thought they were able to run their own business.

Mr. Boyce of Waterbury related an experience where a certain business block in his own town was owned by a wealthy man and contained many tenants, including a Chinese laundryman. The Chinese allowed the waste water from his laundry to escape into the cellar and the other tenants naturally objected. The health officer compelled a drainage system to be built and thereby incurred the enmity of the owner. He thought if the health officer had been appointed by the selectmen that the nuisance would not have been so easily abated.

Mr. Chapman of Windham opposed the bill. He thought the selectmen as members of the local boards of health had something to say now in regard to health matters.

Mr. Pittbridge of Leicester favored the bill. Mr. Burbank of Cabot said that although a physician he had not the moral courage to be a health officer. He told of a boy in his town who attended school in a neighboring town at a time when the office of health officer could be sold to the lowest bidder. This boy was taken ill and the health officer told him he had a sore throat and had better go home. On his way home he talked with a girl and also talked with Mr. Burbank asking his opinion of his condition. He found him to be suffering with diphtheria. Four days later Mr. Burbank himself was taken seriously ill and would probably have died had it not been for the use of antitoxin. The little girl with whom the boy had talked died. Mr. Burbank thought this a good illustration of the difference in the two methods of appointment.

Mr. Martin of Brookline said that when it came to a question of health the Board of Health were the proper persons to look after the welfare of the people. He thought it was not a question of theoretical independence. He had no fear of arbitrary methods.

Mr. Ellis of Brookfield related a case of neglect by a health officer under the old method by which a girl died. He said it was all right to talk about other people's children when you are considering quarantine methods, but it was different when your own children were involved. Dr. Branch of Grand Isle said he had been a health officer for 12 years under both systems of appointment and had attended every health officer's school. From a third to a half of all health officers were laymen. He opposed the bill.

Mr. Calderwood of St. Johnsbury said if any official should have arbitrary power, it should be the health officer. He had seen a dozen demonstrations at his home within a week of what would happen without a good health officer. He opposed the bill.

Dr. Bryant of Ludlow said the health officer could do nothing but put up a quarantine notice except by authority of local boards of health. The bill was then refused a third reading by a large majority.

Highway Bill Discussed.

H. 152, relating to the disposition of unexpended highway taxes in incorporated villages was taken up as a special order. Mr. Battell of Middlebury said this bill was another attack on the duties of selectmen. He questioned the constitutionality of taking money raised by villages and spending outside their limits without their permission. He said we want no permission to spend that which is our own.

Mr. Barron of Barton defended the bill. Mr. Bailey of Randolph opposed the bill. He thought the village streets were almost as beneficial to those outside the limits as those who lived within.

Mr. Peck of Burlington thought the bill invaded the rights of town officials and opposed the bill. The measure was then killed without a voice in its favor.

Mr. Corwin of Chelsea called up H. 228, amending the act relating to the listing of engines, boilers, and certain other machinery. The question was on an amendment inserting the word "machinery." Mr. Corwin defended the bill in the interests of uniform appraisal of property.

Mr. Martin of Hartland opposed the amendment but this with other amendments correcting the phraseology of the bill were agreed to.

Mr. Peck of Burlington offered an amendment inserting after the words "manufacturing or other plant," the further words "kept and used as such." The amendment was agreed to and the bill was ordered to a third reading on Thursday afternoon.

Third Reading Ordered.

Third reading of these bills was ordered:

H. 312, to pay the estate of W. N. Gilman the sum therein named.

H. 71, relating to the election of town officers.

H. 140, an act protecting musk-rats.

H. 280, to enable South Royalton graded school district to change the date of its annual meeting.

These bills were killed:

H. 43, relating to legal holidays.

H. 308, relating to employment of teachers.

These Senate bills were referred:

S. 37, to provide uniformity in placing the fire insurance for the State. Referred to the Committee on Insurance.

Referred to the Committee on Appropriations.

S. 63, relating to the appointment of assistant town and city clerks. Referred to the Committee on Municipal Corporations.

S. 75, relating to seals for motor cycles. Referred to the Committee on Highways and Bridges.

S. 78, relating to chauffeurs' badges. Referred to the General Committee.

S. 80, relating to appointment of the county clerk for Washington county. To special committee of the members of Washington county.

H. 241, granting a bounty of \$10 on black bears was reported unfavorably but on the suggestion of Mr. Burbank of Cabot that the author of the bill was absent, consideration was deferred.

Columbus Day Bill Reconsidered.

Mr. Peck of Burlington thought that the House had not dealt quite fairly with H. 43, making Columbus Day a holiday and moved to reconsider. Mr. Corry of Montpelier favored the motion. He read a list of 15 States in which the day was a holiday.

Mr. Ives of Mount Holly thought we already had holidays enough and referred facetiously to the travels of Noah, whom he called Noah Ives. The chair being in doubt as to the result of a viva voce vote, a standing vote was taken and by a vote of 105 to 77 the House agreed to reconsider.

On a question of third reading, the Chair again being in doubt as to the result of the viva voce vote a standing vote was taken and by a vote of 99 to 82 the bill was ordered to a third reading on Wednesday afternoon.

On motion of Mr. Webster of Swanton the House voted to comply with the Senate's request to return to them H. 67, a bill relating to school attendance and child employment.

Ventilation System Investigated.

Mr. Fletcher of Cavendish moved that a committee of three be appointed by the chair to investigate the ventilating, heating and lighting of Representatives' hall. He was convinced that something was wrong with the system and alluded to the fact that a majority of the members of the House had colds. As a member of the bald-headed club he asked for an investigation. Mr. Howard of Whiting and Mr. Roberts of Rupert supported the motion and it was unanimously adopted.

S. 69, relating to automobile operators' licenses was ordered to a third reading on Wednesday afternoon.

Petitions asking for the enactment of a prohibitory liquor law were presented by Mr. Lewis of Wells, Barron of Barton and Mr. Breed of Pittsford and were referred to the Joint Committee on Temperance.

On motion of Mr. Webster of Swanton the House adjourned at 4:32 o'clock.

SENATE—MORNING.

There was a brief and uneventful session of the upper house. The joint resolution for printing 1500 copies of the proceedings of the Vermont Historical Society was adopted and the report of the standing committee on the Hospital for the Insane at Waterbury was read and accepted.

When House bill No. 137, for the suppression of disease among bees, was called up by Mr. Adams of Windham, Mr. Gordon raised the question whether it might not be subject to the same objections as the bill which the Governor vetoed the day before.

Mr. Adams thought the State had as much right to enter a man's premises and destroy bees that were liable to spread disease as it had to enter them and kill a horse afflicted with glanders. Mr. Archibald of Bennington agreed with Mr. Adams. The State, he said, had destroyed whole orchards suffering from the San Jose scale without making any compensation to the owner. It assumed the right to kill cows suffering from tuberculosis, and the partial compensation was a concession, not a right of the owner. No further objection was made and the bill was passed.

No bills were introduced at this morning session.

Third reading was ordered on:

S. 82, relating to uniformity of dates of school reports.

S. 53, incorporating the City Trust Company.

S. 76, relating to lights on automobiles.

H. 178, relating to sealing in Lake Champlain.

Adjournment was taken on motion of Mr. Darling of Caledonia.

SENATE—AFTERNOON.

There was not a ripple of debate in the Senate over the resolution for an adjournment which caused so much trouble in the House. It was passed as a matter of course without a question being raised.

Third reading was ordered on:

H. 53, relating to the Clarendon and Pittsford Railroad.

H. 118 Incorporating the Sanborn Cemetery association.

H. 138, relating to Packer Cemetery association.

H. 184, relating to Harvey Cemetery association.

H. 186, allowing the Connecticut & Passumpsic Railroad to hold stock in other railroads.

H. 217, relating to Rutland & Montpelier Railroad Company.

H. 166, to legalize the appraisal of the town of Readsboro.

S. 68, relating to supervisors of the insane.

S. 86, relating to building of a criminal ward at the State hospital.

S. 88, relating to dogs for breeding purposes.

One bill was introduced.

S. 101, by the Committee on Judiciary.

lary, relating to a commissioner on probation. Provides that two superior judges and one person whom they shall select shall constitute a board of probation. The judges are to serve without compensation. Commission is to have the same rights as other probation officers and to report to the Governor biennially, or oftener if required.

On motion of Senator Seaver the Senate adjourned at 2:30.

Approved By the Governor.

These bills have been approved by Governor John A. Mead:

S. 48, an act to change the name of Barton Landing Graded School District.

S. 12, an act relating to the operation of railroads.

Joint resolution providing for a Joint Committee to investigate the expenditure for detective service.

S. 47, changing the corporate name of the Barton Landing Cemetery Association.

S. 57, in amendment of section 6262 of the Public Statutes relating to fees for copies, etc.

S. 29, amending No. 255 of the Acts of 1906, granting certain power to the City of Barre relating to the watering of its streets.

Among the visitors at the State House yesterday afternoon were C. S. Palmer of Burlington, C. E. Soule and W. P. Elrod of St. Albans, Hon. H. H. Powers of Morrisville.

Mrs. John A. Mead was a visitor in the House yesterday afternoon.

Mr. Amey of Brighton occupied the chair for a portion of the afternoon.

Among the visitors at the State House yesterday morning were Congressman D. J. Foster of Burlington, President John M. Thomas of Middlebury College, C. W. Witters of St. Albans and R. A. Lawrence of Rutland.

What's In McClure's.

The opening of an important series, "The Masters of Capital in America," by John Moody and George Kibbe Turner, heads the list of articles in the November McClure's. Moors.

Moody's and Turner's first article shows the growth of the House of Morgan, and begins the history of the great modern movement of the development of corporations, and the concentration of great wealth. Ellen Terry contributes "Some Reflections on Shakespeare's Heroines," stories of great actresses she has known.

The second instalment of "Working-Girls' Budgets," by Edith Wyatt and Sue Ainslie Clark, deals with the wages and living expenses of shirtwaist operators in New York. William Archer, who early this spring was sent to Spain by McClure's Magazine to investigate the Ferrer case, has written a complete account of the Barcelona riots, the desecration of the convents, etc., and the situation between the government and the church. His article on "Ferrer and the Barcelona Riots" contains all the evidence on the subject that has been unearthed since the execution.

Richard Gadke, Colonel in the Prussian army, contributes an article on "Peace and Disarmament," and Yoshio Markino, the son of a Japanese nobleman, who came to America for an education, has written a unique account of "My Experience in San Francisco." The fiction includes "Molly," by George Pattullo, "The Governor's Lady," by Avery Abbott, a Giovanni story by Amanda Matthews, "Truth's Advocate," by Julia C. Doy, and Percival Gibson contributes another "Adventure of Miss Gregory."